

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARIE CHRISTINE FANYO-PATCHOU, *et al.*,

Defendants.

CASE NO. CR19-0146-JCC

ORDER

This matter comes before the Court on the Government's Motion for Leave to Dismiss Without Prejudice (Dkt. No. 256). Defendants Marie C. Fanyo-Patchou, Rodrigue F. Kamden (also sometimes spelled Kamdem), and Christian F. Djoko do not oppose. (Dkt. No. 257.) Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motion.

Federal Rule of Criminal Procedure 48(a) requires the Government to obtain "leave of the court" to dismiss an indictment. This requirement gives the district court narrow discretion to deny dismissal "if the motion is prompted by considerations clearly contrary to the public interest." *Rinaldi v. United States*, 434 U.S. 22, 29 n.15 (1977). Because "the decision to dismiss an indictment implicates concerns that the Executive is uniquely suited to evaluate, a district court is limited in its ability to second-guess the government's decisions on whether and what to

1 prosecute.” *United States v. Garcia-Valenzuela*, 232 F.3d 1003, 1007 (9th Cir. 2000) (cleaned
2 up). Here, nothing suggests that dismissal would contravene the public interest in any way.

3 The Court therefore GRANTS the Government’s unopposed Motion (Dkt. No. 257) and
4 DISMISSES the indictment (Dkt. No. 1) against Defendants Marine C. Fanyo-Patchou, Rodrigue
5 F. Kamdem a/k/a Rodrigue Fodjo Kamden, and Christian F. Djoko without prejudice.

6 DATED this 15th day of September 2021.

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A handwritten signature in black ink, reading "John C. Coughenour", written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE